

REMARKS

Claims 1-23 are all the claims currently pending in this Application.

Allowed and Allowable Claims

The Examiner maintains that claims 18 and 23 are allowed and that claims 2, 6, 8, 12, and 14 include allowable subject matter and would be allowed if rewritten into independent form. Applicants respectfully request that the rewriting of these claims be held in abeyance at this time.

Prior Art

Claims 1, 5, 7, 11, and 19-22 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Henry (U.S. Patent 7,058,059). Claims 3, 4, 9, 10, 13, and 15-17 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Henry. Applicants respectfully traverse these rejections.

Applicants submit that Henry fails to disclose or reasonably suggest at least “an encapsulation means for encapsulating the wireless LAN signal *in OSI layer 2* by providing the wireless LAN signal with a header having its own terminal’s MAC address as an originating MAC address and a wireless LAN base station’s MAC address as a destination MAC address:, as recited in independent claim 1. Analogous limitations are recited in independent claims 5, 7, 11, 13, 19, 20, 21, and 22.¹

¹ “an encapsulation means for encapsulating a wireless LAN signal destined for a first wireless LAN terminal *in OSI layer 2* by providing the wireless LAN signal with a header having its own base station's MAC address as an originating MAC address and a second wireless LAN terminal's MAC address as a destination MAC address” claim 5; “a reception means for receiving a wireless LAN signal which is destined for another wireless LAN terminal and is encapsulated *in OSI layer 2* by being provided with a header having a wireless LAN base station's MAC address as an originating MAC address and own terminal's MAC address as a destination address” claim 7; “a reception means
...(footnote continued)

Henry is generally directed to an “intelligent device” installed on or connected to a mobile host. The mobile host roams between a cellular network and a WLAN.

Henry describes a method in which the mobile host sends a query message to obtain a MAC address of another host on the office network to which the WLAN is connected through the internet and the firewall. The mobile host sends an ARP request with a MAC1 source address and a broadcast destination address, which the intelligent device receives. The intelligent device then sends a “fake” reply message to the mobile host indicating MAC2 as the destination address. Thus, the mobile host transmits the IP packet with a source address of MAC1 and a destination address of MAC2. The intelligent device extracts the IP packet and transmits it with a source address of MAC_{NIC} (the address of the emulated interface card of the intelligent device) and a destination address of MAC_{AP} (the address of the access point). The access point then

for receiving a wireless LAN signal which is transmitted from a first wireless LAN terminal and is encapsulated *in OSI layer 2* by being provided with a header having a second wireless LAN terminal's MAC address as an originating MAC address and own base station's MAC address as a destination address” claim 11; “an encapsulation means for encapsulating the wireless LAN signal *in OSI layer 2* by providing the wireless LAN signal with a header having its own terminal's MAC address as an originating MAC address and a wireless LAN base station's MAC address as a destination MAC address” claim 13; “encapsulating the wireless LAN signal *in OSI layer 2* by providing the wireless LAN signal with a header having its own wireless LAN terminal's MAC address as an originating MAC address and a wireless LAN base station's MAC address as a destination MAC address” claim 19; “encapsulating a wireless LAN signal destined for a first wireless LAN terminal *in OSI layer 2* by providing the wireless LAN signal with a header having its own wireless LAN base station's MAC address as an originating MAC address and a second wireless LAN terminal's MAC address as a destination MAC address” claim 20; “receiving a wireless LAN signal which is destined for another wireless LAN terminal and is encapsulated *in OSI layer 2* by being provided with a header having a wireless LAN base station's MAC address as an originating MAC address and own terminal's MAC address as a destination address” claim 21; and “receiving a wireless LAN signal which is transmitted from a first wireless LAN terminal and is encapsulated *in OSI layer 2* by being provided with a header having a second wireless LAN terminal's MAC address as an originating MAC address and own wireless LAN base station's MAC address as a destination address” claim 22.

extracts and encapsulates the IP packet and transmits it, via the internet, to the remote access server.

However, the encapsulation described in Henry is executed *in the third layer of the OSI model*. That is, an IP packet is encapsulated *by another IP packet*. This is distinct from the claimed embodiments of the present invention in which *a wireless LAN signal is encapsulated in OSI layer 2*.

The encapsulation of Henry is described in column 12, lines 22-23: MAC_{NIC}, MAC_{AP} [IP_{MH@AN}, IP_{RAS@ON} [IP_{MH@ON}, IP_{DST@ON}, IP PAYLOAD]]. This is read as IP_{MH@ON}, IP_{DST@ON}, and IP PAYLOAD are encapsulated. This is also expressed in table 916 of Figure 9 of Henry as follows:

MAC _{NIC}	MAC _{AP}
IP _{MH@AN}	IP _{RAS@ON}
IP _{MH@ON}	IP _{DST@ON}
IP PAYLOAD	

On the other hand, as recited in the independent claims, the encapsulation of the claimed embodiments of the present invention is executed in OSI layer 2. that is, a packet in the second layer, including a MAC address and MAC payload, is encapsulated and another MAC address is added. Using the expression of Henry, this could read: MAC₁, MAC₂ [MAC₃, MAC₂, MAC PAYLOAD]. Alternately, in table form, as used in Henry, this could be shown as:

MAC ₁	MAC ₂
MAC ₃	MAC ₂
IP ₃	IP ₂
MAC PAYLOAD	

Therefore, the present invention as recited in independent claims 1, 5, 7, 11, 13, 19, 20, 21, and 22 is clearly distinct from and patentable over the teachings of Henry, and claims 3, 4, 9,

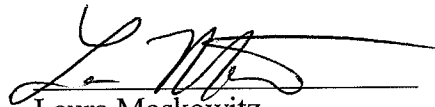
10, 15, 16, and 17 are patentable at least by virtue of their dependencies. Applicants respectfully request that the rejections of these claims be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Laura Moskowitz
Registration No. 55,470

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 7, 2009